



Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Edwards

Examiner: Unknown

Serial No. 09/911,874

Art Group: Unknown

Filed: July 24, 2001

For: GERD Treatment Apparatus and Method

**Request for Correction of Inventorship
Pursuant to 37 C.F.R. §1.48(a)**

Commissioner of Patents
and Trademarks
Washington, D.C. 20231

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TECHNOLOGY CENTER R3700

Sir:

Applicant hereby requests, pursuant to 37 C.F.R. §1.48(a), correction of inventorship in the above identified case by the addition of joint inventor David S. Utley.

As required by 37 C.F.R. §1.48(a), accompanying this Request are:

1. A statement from David S. Utley that the error in inventorship occurred without any deceptive intent on his part (TAB 1).
2. A Declaration by the actual inventors as required by 37 C.F.R. §1.63 (TAB 2).
3. An assignment, executed by the actual inventors, with a Request for Recordation (TAB 3).
4. The written consent of the assignee (TAB 4).
5. The processing fee as set forth in 37 C.F.R. §1.17(i).

A check payable in an amount to cover the requisite processing fee for this Request to Change Inventorship and Request for Recordation of Assignment is attached. You are authorized to charge any excess fees, or to credit overpayments, to Deposit Account No. 06-2360. A copy of this Request (without attachments) is attached for this purpose.

Approval of this Request is respectfully solicited.

Respectfully submitted,

By


Daniel D. Ryan
Registration No. 29,243

RYAN KROMHOLZ & MANION, S.C.
P.O. Box 26618
Milwaukee, Wisconsin 53226-1618
(262) 783-1300
May 14, 2002



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**STATEMENT OF DAVID S. UTLEY
REGARDING CHANGE OF INVENTORSHIP
PURSUANT TO 37 C.F.R. §1.48(a)**

Commissioner of Patents
and Trademarks
Washington, D.C. 20231

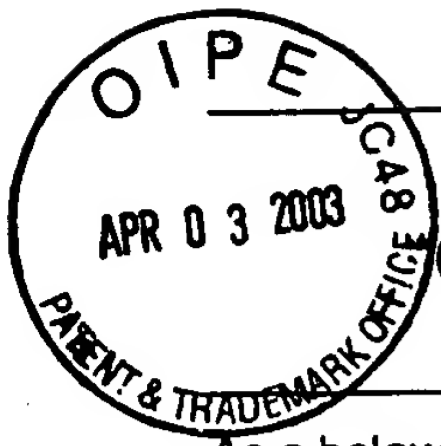
Sir:

I, David S. Utley, do understand that a Request has been made to change the inventorship of this application by adding me as a joint inventor. I state that the error in inventorship occurred without any deceptive intent on my part. I, together with my fellow joint inventor, have executed a new Declaration.

I know that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. 1001) and may jeopardize the validity of the patent issued hereon. All statements made of my own knowledge are true and all statements made on information and belief are believed to be true.

Dated 3-29-02

By David S. Utley
David S. Utley



COMBINED DECLARATION AND POWER OF ATTORNEY
(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,
CONTINUATION OR CIP)

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is of the following type: (check one applicable item below)

- ☐ original
☐ design
☐ supplemental

NOTE: If the declaration is for an International Application being filed as a divisional, continuation or continuation-in-part application do not check next item; check appropriate one of last three items.

- ☐ national stage of PCT

NOTE: If one of the following 3 items apply then complete and also attach ADDED PAGES FOR DIVISIONAL, CONTINUATION OR CIP.

- ☐ divisional
☒ continuation
☐ continuation-in-part (CIP)

INVENTORSHIP IDENTIFICATION

WARNING: If the inventors are each not the inventors of all the claims an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

GERD Treatment Apparatus and Method

SPECIFICATION IDENTIFICATION

the specification of which: (complete (a), (b) or (c))

- (a) ☐ is attached hereto.
 (b) ☒ was filed on 24 July 2001 as ☒ Serial No. 09/911,874
 or ☐ Express Mail No., as Serial No. not yet known _____
 and was amended on _____ (if applicable).

NOTE: Amendments filed after the original papers are deposited with the PTO which contain new matter are not accorded a filing date by being referred to in the declaration. Accordingly, the amendments involved are those filed with the application papers or, in the case of a supplemental declaration, are those amendments claiming matter not encompassed in the original statement of invention or claims. See 37 CFR 1.67.

- (c) ☐ was described and claimed in PCT International Application No. _____
 filed on _____ and as amended under PCT Article 19 on _____ (if any).

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CONSENT OF ASSIGNEE
TO CHANGE OF INVENTORSHIP
PURSUANT TO 37 C.F.R. §1.48(a)

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Sir:

Curon Medical, Inc., 735 Palomar Ave., Sunnyvale, California 94806, the owner of 100% interest in this U.S. Patent Application by virtue of an assignment, a true copy of which is attached, hereby assents to the correction of inventorship filed herewith, namely adding David S. Utley as co-inventor.

I state that I am authorized to act on behalf of the assignee.

In accordance with 37 C.F.R. 3.73, the assignee hereby certifies that the evidentiary documents with respect to ownership have been reviewed and that, to the best of the assignee's knowledge and belief, title is in the assignee seeking to take this action.

Dated 4-24-02

By DAVID S. UTLEY

Name DAVID S. UTLEY

Title CHIEF MEDICAL OFFICER